IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

RP.No. 531 of 2001(K)

AGAINST THE JUDGEMENT IN OP.12702/2001 DATED 24/09/2001.
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REVIEW PETITIONERS/ RESPONDENTS IN THE O.P:
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1. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE COMMISSIONER AND SECRETARY TO GOVERNMENT, FOREST & WILDLIFE (K) DEPARTMENT, THIRUVANANTHAPURAM.**

3. **THE CHIEF CONSERVATOR OF FORESTS, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

4. **DIVISIONAL FOREST OFFICER, KOZHIKODE.**

BY SPL.GOVT.PLEADER (FORESTS) SRI. M.P. PRAKASH.

RESPONDENT/PETITIONER IN THE O.P:

C.K. SASANKAN, S/O. LATE KUNJUKUTTAN, CHARANGATTU, KANICHUKULANGARA.P.O., ALLEPPEY DISTRICT.

BY ADV. SRI.R.RAMADAS.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 22/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.

RP NO.531/01 in OP No.12702 of 2001-K

Order

Balakrishnan Nair, J.

Heard the learned counsel on both sides. The learned Government Pleader prays for permitting to withdraw the submission made by him on behalf of the respondents in the OP. He points out that the submission was made without instructions in that behalf. The learned counsel for the petitioner who is the respondent in this RP submits that he may be permitted to withdraw the Writ Petition so that he can seek reliefs against the Kerala Forest (Vesting & Management of Ecologically Fragile Lands) Act. In the result, the review is allowed and the submission made by the learned Government Pleader in the OP is allowed to be withdrawn.

2. The Judgment in the OP is recalled and the OP is dismissed as withdrawn without prejudice to the contentions of the petitioner and his right to approach this Court again, seeking appropriate reliefs if so advised, raising the challenge against the aforementioned Act.

Sd/-**K.BALAKRISHNAN NAIR,JUDGE**

22.10.2007 Sd/-**T.R.RAMACHANDRAN NAIR, JUDGE**

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